

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William C. Bullard

Serial No. 09/276,277

Filed: 03/25/1999

For: **FLOW PROBE CONNECTIVITY DETERMINATION**

Examiner: Rudy, Andrew

Art Unit: 3627

Commissioner for Patents

Box AF

Washington, D.C. 20231

FAX RECEIVED

AUG 02 2002

Sir:

RESPONSE TO THE ADVISORY ACTION MAILED 27 JUNE 2002

GROUP 3600

In response to the advisory action mailed 27 June 2002, Applicant offers the following remarks. Applicant also requests a one-month extension of time for responding to this advisory action. Enclosed is a credit card payment form in the amount of \$110.00 to pay the fee associated with this extension of time. If any fees are required in association with this response, the Director is hereby authorized to charge them to Deposit Account 50-1732, and consider this a petition therefor.

REMARKS

The behavior of the Patent Office in this case is unfortunate. After the filing of the present application, an examiner issued a rejection based on a reference. Applicant responded by amending the claims; specifically, rewriting a few of the dependent claims in independent form and canceling some of the original independent claims. The Patent Office then assigned the present application to a different examiner who withdrew the rejection based on the reference and inserted a new § 112 rejection, claiming that the amendments necessitated the new grounds of rejection.

Applicant disagreed with the finality of the rejection to the extent that the amendments merely rewrote the claims in independent form, and thus, there was no change in the scope of the claims. A conversation with Robert Olszewski on 17 July 2002 isolated the terms that the Patent Office felt caused a change in the scope of the claims. While Applicant disagrees with the conclusion of the Patent Office, this affront pales in comparison to the rest of the Patent Office's

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